

Remarks:

General:

The Applicant has amended the title, specification, claims, and abstract of Patent Application Number 09/784,773 to conform with the Office Action mailed April 2, 2002, and with the Office Action mailed August 7, 2002 and with the Office Action mailed September 20, 2002 and with the Office Action mailed September 2, 2003 and with the Office Action mailed December 5, 2003, and with the Office Action mailed April 15, 2004.

The elements presented in this Amendment F are a clarification and expansion of intent and concepts presented in the original application and references (original and O.A.) and do not, in the view of the Applicant, constitute "new" technical material.

Specifically:

Response to Office Action of 15 April 2004

Page one, Office Action (OA) Summary, Item 1, "Responsive to communication(s) filed on 08 February 2004." The Applicant's

records show an Express Mail date on 09 February 2004, for the mailing date of communications known as Amendment E which contains Claims 33-52.

The Examiner has directed (by phone on June 24, 2004) the correction of Item 1, for the record, to read, "... filed on 09 February 2004.

The 09 February 2004, Amendment E, contains Claims 33-52.

Page 2, Detailed Action, Claims Rejections '112, first paragraph, "Claims 12-31 are rejected ..." . The Applicant amended these Claims to fully comply with this rejection and the Claims were resubmitted as Claims 33-52, for reexamination in Amendment E.

The OA continues " Claim 32 appears to be missing ...". The Applicant apologizes for any error.

The OA continues, ... second paragraph '112:

Page 3, "Claims 12-31 and 33-52 are rejected ...".

Page 4, " Claim 33 is rejected for the same reasons as was applied to Claim 1." The Applicant understands this to be "Claim 33 is rejected for the same reasons as was applied to Claim 12.", (the Examiner,(by phone on June 24, 2004), agrees) which reads (from page 3) "... There are no recited means ... in the claim..." . In this effort to fully respond and comply with this OA, and the Examiner's direction, a first means for etching or forming symbols and/or scenes which could be applied/adapted onto the optical surfaces of MEMS mirrors and lasers (paragraph [0034&36]), and a second means of viewing/observing/inspecting/imaging symbols and/or scenes which could be adapted for use on MEMS mirrors (paragraph [0031 &37]) and a third means for switching optical images which could be used with/adapted to laser pulse images (paragraph [0021])and a fourth means for transmitting laser pulses which could be used/adapted for transmitting laser pulse images(paragraph [0038 &41]) have been written into the Background – Prior Art Section, pages 14 - 20.

Note: this means language is not, repeat not, “new technical material”, it is all prior art material. The Applicant understands that amendments must be responsive to areas, the Examiner finds lacking.

Claim 33 has been amended, reciting the above described means language to comply with this rejection.

The OA continues, page 4, “... Dependent claims 34-41 are rejected as being inclusive of rejected claim 33.” Dependent claims 34-41 have been labeled, “previously presented”, and are resubmitted for examination.

The OA continues, page 4, “Claim 42 is rejected ... as ... Claim 12.” Claim 42 has been amended, reciting the above described means language (as derivatives), to comply with this rejection.

The OA continues, page 4, “Dependent claims 43-51 are rejected.....” Dependent claims 43-51 have been labeled, “previously presented”, and are resubmitted for examination.

The OA continues, page 4, “Claim 52 is unclear...no recited means... .” Claim 52 has been amended, reciting the above described means language (as derivatives), to more clearly define and specify the facets of concept/structure/function of the present invention.

Claims 33 and 42 and 52 have been amended to comply with this OA, and are resubmitted, with, previous presented, dependent claims 34-41 and 43-51. The Applicant respectfully requests re-examination and withdrawal of these ‘112 rejections.

The OA continues, page 4, Claim Rejections ‘102, “Claims 12-31 and 33-52 are rejected ... anticipated by Stern et al., U.S.P. No. 5,877,899.”

“Stern et al., 899’ teaches (Figs. 1-15) a laser system for imaging indicia 30 or symbols onto a mirrored surface comprising; an array of laser diodes 66...”

Applicant comments: Stern does not contain the phrase “laser diodes” and Stern, Col. 8, lines 26-27, reads,

“... light emitting diodes (LED) 66 ...” also Col. 8, lines 23-24, reads, “... viewing of desired indicia 30 ...” and Abstract, first line, reads, “An imaging

system for viewing indicia ...”, Stern uses/defines imaging to be viewing/observing/inspecting, see Background, paragraph [00].

Stern, Col. 5-6, Figs. 1- 2, shows views of wafer having preexisting indicia already formed thereon, and Fig. 3, “ ... showing the inspection system according to the present invention...” and Figs. 4-5 shows views of the LEDs 66 and projected images, and Fig. 6 shows “...LEDs for use in the inspection system ...”, and Figs. 7-12, shows embodiments with “...diffuser...”, likely NOT WORKABLE WITH LASERS, over long term/time period, and Fig. 13-15 showing viewing of indicia.

The OA continues, “... (Note these laser diodes can be used in conjunction with a liquid crystal array to provide a switched or pulsed output.)...”.

Applicant’s comments: the phrase “laser diodes” is not, repeat not in Stern et al., and the phrase “switched or pulsed output” is not in Stern et al., and Fig. 11 is the only figure showing a LCD light valve 92, Col. 14, lines 16-18, reads, “... Fig. 11 shows an example of a programmable LCD light valve in which a light source 84 provides light to a rear surface 86 of a diffuser 88....”, as commented above, a “diffuser” is likely not workable with lasers, over an extended time period, due to the coherent nature of lasers and the likely catastrophic energy buildup at the laser beam - “diffuser” interface.

The OA continues, “... which uses imaging means 36, 38 and 40 to provide symbols and indicia of an extremely small size which are etched onto a mirrored surface 30...”, Stern et al. Col. 14, lines 41-43, reads “... light is supplied ... through the lenses 36, 38 and reflected off the first mirror 40... to the indicia 30...”. Note, the OA here reads “... mirrored surface 30...”.

There is no, repeat no, support in Stern et al., for the above comment of the OA.

The OA continues, “... (Note that the mirrored surface is a polished semiconductor surface which would inherently include MEMS type semiconductor mirrors.), which clearly, fully meets Applicant’s claimed limitations.”, Applicant’s comments: These comments are not, repeat not cogent in the context of the misinterpretation, misunderstanding and confusion presented in the OA regarding the Stern et al., U.S.P. 5,877,899 reference, easily done with terminology variation.

The Applicant has presented a Background discussion of the Stern et al., '899 reference, in paragraphs[0030 & 31]. The Applicant respectfully requests reconsideration and withdrawal of the '102 rejections.

Conclusion: In this effort to comply with the April 15, 2004 Office Action in Patent Application 09/784,773, Claims 33 and 42 and 52 have been amended to comply with this Office Action , and are resubmitted, with dependent claims 34-41 and 43-51. The Applicant respectfully requests re-examination and withdrawal of the '112 rejections.

The Applicant has shown the Stern et al., U.S.P. 5,877,899 reference to be misinterpreted, and respectfully requests re-examination and withdrawal of the '102 rejections.

This invention describes information symbols or scenes

in the form of laser pulse images.

This is a unique paradigm compared to the

traditional methods of information symbols or scenes in the form

of binary code.

end

P.S.: IDS; Please note implications of attosecond laser pulses and "optical proximity correction" with this present invention. J.D.U.

Comment: The Applicant wishes to convey appreciation and gratitude to the Examiner for diligence and assistance. Thank You!

Conclusion:

In the view of the Applicant, the above Amendment F in Patent Application Number 09/784,773 conforms to the 2002, April 2 Office Action and to the 2002, August 7 Office Action and to the 2002, September 20 Office Action and to the 2003, September 2 Office Action, and to the 2003, December 5 Office Action, and to the 2004, April 15, Office Action.

Request For Constructive Assistance:

The Applicant requests, with all due respect, the assistance and suggestions of the Examiner, pursuant to M.P.E.P. | 2173.02 and | 707.07(j), to place this Application (# 09/784,773) in allowance.

Very Respectfully:

Joseph D. Udy, Applicant Pro Se

Joseph D. Udy
4466 S. Helena Way, Apt. # 362
Aurora, CO 80015-4415
303-693-3704

Certificate of Mailing

I hereby certify that this Amendment F in Patent

Application Number 09/784,773 will

be deposited with the U.S. Postal Service by Express Mail, in an

envelope addressed to "Mail Stop Non-Fee Amendments, Commissioner

for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on the date below.

Date: June 29, 2004

Inventor's Signature: Joseph D. Udy

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